

STATE OF NEW YORK

2429

2019-2020 Regular Sessions

IN SENATE

January 24, 2019

Introduced by Sen. KAPLAN -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

AN ACT to amend the executive law, in relation to providing certain immigrants with confidential consultation and assistance on potential petitions for executive clemency

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Paragraphs (m) and (n) of subdivision 5 of section 94-b of
2 the executive law, as added by chapter 206 of the laws of 2014, are
3 amended to read as follows:

4 (m) Encourage and assist local governments in the development of
5 activities to enhance civic engagement among immigrants and in immigrant
6 communities; [~~and~~]

7 (n) Provide or arrange for confidential consultation with an immigrant
8 who has a prior conviction for one or more offenses or crimes, other
9 than violent crimes or other crimes of a serious nature that might
10 justify deportation of such individual, on the potential availability of
11 executive clemency pursuant to article two-A of this chapter, and
12 provide or arrange for assistance with the filing of petitions therefor;
13 and

14 (o) Beginning in two thousand fifteen, by June fifteenth of each year,
15 produce a report to the governor, the speaker of the assembly, and the
16 temporary president of the senate describing the activities of the
17 office, including but not limited to, summarizing calls received through
18 the hotline and website, information on ESOL training services provided
19 by the office, the number of immigrants assisted through the opportunity
20 centers, or an estimation thereof, the status of any workforce develop-
21 ment programs, and any other relevant information.

22 § 2. Notwithstanding any other provision of law, unless disclosure is
23 required by lawful court order, no personally-identifiable information
24 obtained by the Office for New Americans or any agent thereof for the

EXPLANATION--Matter in italics (underscoring) is new; matter in brackets
[~~-~~] is old law to be omitted.

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1 purpose of confidential consultation and assistance related to a poten-
2 tial petition for executive clemency shall be disclosed to any other
3 person or entity without the consent of the individual to whom such
4 information pertains.

5 § 3. This act shall take effect on the sixtieth day after it shall
6 have become a law.